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Briefing Paper on the danger of using foreign visitors' reports as evidence regarding human rights conditions in East Timor

1. Correspondence with the Foreign Office

In response to letters from a number of MPs in January this year inquiring whether the British Government would vote for a resolution at the 1988 session of the UN Commission on Human Rights condemning human rights violations in East Timor, the Foreign Office replied, in a standard text:

"The Government fully recognise the concern in this country about reports of human rights violations in Indonesia, and have regularly conveyed to the Indonesian Government our view that human rights should be respected. It is our impression that there has been some improvement in the situation in East Timnor (emphasis added) and that the Indonesians are devoting resources to East Timor's development."

The identical point was made in a letter from the Foreign Office to TAPOL.

In a reply dated 8 February, TAPOL queried the claim:

"Although several foreign delegations have visited East Timor in the past few months, the Indonesian Government has made it clear on numerous occasions... that it would under no circumstances allow anyone visiting East Timor to investigate human rights observance. Hence whatever statements may have been made by visitors about the absence of human rights abuse, such as for instance the Dutch MEP who was in East Timor earlier this year, these conclusions are clearly not based on any investigation. They are simply the views given to visitors by Indonesian officials."

The Foreign Office replied in a letter to TAPOL of 22 February:

"Our assessment of an improved situation in East Timor is based on several reports by visitors over the year. But we shall obviously watch the whole human rights situation in Indonesia carefully, and seek further information on particular cases."

On 28 February, TAPOL replied:

"It is precisely because we have it on record that the Indonesian authorities will not permit visitors to undertake investigations about human rights observance that we question the British Government's assessment that an improvement has taken place, since it is based on the reports of visitors. That is not what we hear from East Timorese who have left Dili recently, as recorded in recent issues of TAPOL Bulletin.

"TAPOL is concerned that the British Government relies on such sources, and apparently makes no attempt to seek information on such an important

matter from other sources. What we are seeking from the Government is an assurance that it will take more seriously the reports of human rights abuse in East Timor and consider evidence from people who can never be contacted by visitors going to East Timor under the auspices of the Indonesian Government."

On 9 March, the Foreign Office replied:

"In reaching our assessment of the situation in East Timor we take account of information from a variety of sources, including that provided by visitors to East Timor and by human rights groups such as Amnesty International and TAPOL."

2. Reports by recent foreign visitors to East Timor

Several foreigners have visited East Timor in the last year, all of them claiming, in more or less similar terms, that human rights abuse is no longer a problem. In the case of three of these visits, TAPOL has obtained copies of the reports:

(a) On 1 August, the Portuguese journalist Nuno Rocha visited Dili for 24 hours during which he only spoke to the governor, Maria Carrascalao, and the Bishop, Mgr Ximenes Belo. His lengthy report consisted almost entirely of a re-hash of Indonesia's version of events in East Timor since 1974. He produced no comments by anyone he met in Dili about human rights.

(b) On 17 and 18 November, a team of Canadian MPs visited Dili and later issued a report in which the following comments relating to human rights abuse were made:

"The delegation asked (the Governor) some very direct questions. They wanted to get an idea of the validity of the allegations that had been made about human rights abuses. The Governor, a true diplomat, explained at great length that there was no real problem: certain groups, especially those remote from the main centres, did not always understand the reasons for certain laws. He did say, however that people's movements were monitored, on the grounds that it allowed the government to prevent mobs surging into areas where there was little chance of finding work. In his view, the criticisms of the government were due to a variety of misunderstandings.

"In the evening, the delegation met Dili's priest and a Belgian missionary. They had dinner with the delegates and were able to answer further questions on the reality of human rights in Timor. From their responses, this did not seem to be a subject of much concern."

The parliamentarians described a visit to Dili prison where they met 70 political prisoners and "got the impression that the inmates were not particularly ill-treated. They appeared to be well fed and the institution well run, and prison authorities said they were entitled to visitors. Obviously a superficial impression was all that could be gained, since on top of everything else there was the language problem: the officials spoke Indonesian and the person providing the interpretation spoke English but was not, properly speaking, an interpretor."

Comment:

1. Why is it that the monitoring of people's movements is not a subject of much interest?

2. The presence of a person "who was not properly speaking an interpretor" would make it impossible for any Timorese, let alone prisoners, to talk to the visitors about conditions. In all likelihood, the person who interpreted for them was a security officer.

3. In any case, how do the parliamentarians know the people they saw at

the prison were political prisoners. Our sources say that the authorities present other prisoners or even non-prisoners to foreign visitors.

(c) In late January 1988, the Dutch MEP, Janssen van Raay visited East Timor. His report, like that of Nuno Rocha, consisted primarily of a re-hash of Indonesia's version of events in East Timor since 1974. His only reference to current human rights abuse was that "the International Red Cross has free access to prisons where the East Timorese prisoners are held, can submit complaints to the Department of Justice and check the result". The only reference in his conclusions to present-day human rights abuse was: "Today there is no evidence of human rights still being violated, but if there are, the International Red Cross has sufficient possibilities to react properly."

On the closely related matter of security, Mr van Raay reported that "there is no security problem any more. The last military operation was in 1984. Since then, the army stopped hot pursuit and mopping up operations, and Fretilin's presence is limited to small groups moving in a mountainous area."

"During my stay in East Timor, I had no security escort. I could go wherever I wanted and speak alone with whoever I wanted."

Comment:

1. The International REd Cross has access only to two prisons in Dili. It has no access to other detention and interrogation centres in Dili, in the thirteen district capitals, or elsewhere where army commands are located.

2. Mr van Raay may, as he claims, have spoken "alone with whoever I wanted". He did not however say who they were or quote anything they said to him.

3. US State Department 1988 Indonesia Chapter on Human Rights Practices

The glaring inaccuracy and inadequacy of these reports is exposed by no less a source than the US State Department's Chapter on Indonesia in its Country Reports on Human Rights Practice for 1987, published in February 1988. The following quotations are taken from the chapter:

"Periodic skirmishes between Fretilin guerrillas and the army occurred, with unknown but relatively small numbers of casualties on both sides."

"The Government continued to permit selective access to the province (sic), primarily through escorted diplomatic visits."

"Disappearances in East Timor... are widely believed to be at the hands of security or military authorities operating under special legal provisions exempting them from the criminal code. Reports are often unspecific and virtually impossible to confirm as the Government rarely, if ever, responds to inquiries concerning disappearances."

"One international human rights group's reports cite torture of suspected rebel sympathisers in East Timor at the hands of military forces."

"In 1987, the last remaining Timorese held on Atauro island for suspected support of Fretilin were returned to their villages where they remain under the close supervision of local authorities."

"Judicial warrants for searches are required except for cases involving suspected subversion, economic crimes and corruption. However, forced or surreptitious entry by security agencies occurs periodically, especially in East Timor."

"...letter mail to and from East Timor is subject to official scrutiny.

Telephone communication to and from East Timor requires special government approval."

"In East Timor, the local Government usually authorises public assembly for social and ceremonial events and, as long as there is no perceived security risk, grants political parties permission to meet publicly."

"The Government has relocated many rural East Timorese living in the central and eastern parts of the province since 1979 to isolate them from Fretilin rebels and, according to the Government, to facilitate their access to health, education, and other government services. Most Timorese require permission to travel outside their home districts (kecamatan). In some areas of East Timor residents may not farm beyond their immediate village area, and are restricted to their village itself during military operations in the area."

Comment:

1. The State Department comments on East Timor are integrated into the chapter on Indonesia, failing to take cognisance of the fact that Indonesia's integration of East Timor is not recognised by the UN.

2. The only political parties existing in East Timor are Indonesian parties. All East Timorese parties were disbanded after the invasion in 1975.

4. Conclusion

Even without examining critically some of the statements made in the State Department's account, it is evident that the chapter totally discredits the reports of recent foreign visitors to East Timor. This reinforces our belief that there can be no justification for considering such reports as a valid source of information about the human rights situation in East Timor.

21 March 1988